

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 06-2597

United States of America,

Appellee

v.

Timothy Kevin McGruder,

Appellant

Appeal from U.S. District Court for the District of Minnesota - St. Paul
(0:05-cv-01046-JMR)

JUDGMENT

Before MURPHY, SMITH, and COLLOTON, Circuit Judges

This appeal comes before the court on appellant's application for a certificate of appealability. The court has carefully reviewed the original file of the district court, and the application for a certificate of appealability is denied. The appeal is dismissed.

January 26, 2007

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans